

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

NATHANIEL C. PERRY,

)

8:07CV291

)

Plaintiff,

)

)

v.

)

**MEMORANDUM  
AND ORDER**

)

DOUGLAS COUNTY

)

CORRECTIONAL CENTER,

)

)

Defendant.

)

This matter is before the court on its own motion. On October 12, 2007, this court entered an order noting that Plaintiff had been released from custody and requiring Plaintiff to file a new application to proceed in forma pauperis. (Filing No. 8.) In its October 12, 2007 Order, the court warned Plaintiff that failure to file a new application to proceed in forma pauperis by November 15, 2007 would result in dismissal without further notice. (*Id.*)

Plaintiff has not filed a new application to proceed in forma pauperis in this matter or taken any other action. Plaintiff's Complaint must therefore be dismissed.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Complaint is dismissed without prejudice for failure to prosecute his claims diligently.

2. A separate judgment will be entered in accordance with this memorandum and order.

February 1, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge